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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/679,689	10/07/2003	Ernst B. Riemann	0002792.0002

CONFIRMATION NO. 3566

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FORMALITIES LETTER



OC000000015114511

Date Mailed: 02/07/2005

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 3-6 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$400.00 petition fee (37 CFR 1.17(f))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$400.00 petition fee (37 CFR 1.17(f))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(f)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



CERTIFICATE OF MAILING

The undersigned hereby certifies that he is depositing the enclosed Submittal of Replacement Pages 3-6 of the specification in response to the Notice of Omitted Item in a Nonprovisional Application dated February 7, 2005, for divisional patent application serial number 10/679,689, filed on October 7, 2003, Applicants Ernst Riemann, et al., with the U.S. Postal Service, as first class mail, in an envelope addressed to Mail Stop Missing Parts, Commissioner of Patents, P.O. 1450, Alexandria, VA 22313-1450, on this the ¹⁴17 day of February, 2005.

By: 

Milton S. Gerstein
Reg. No. 27,891



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT: Ernst B. Riemann

TITLE: Lan Telephone System

SERIAL NO.: 10/679,689

FILING DATE: October 7, 2003

GROUP: ART UNIT 2665

EXAMINER:

To: Mail Stop Missing Parts
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMITTAL OF REPLACEMENT PAGES

S I R :

In response to the Notice of Omitted Item in a Nonprovisional Application dated February 7, 2005, please find enclosed replacement pages 3-6 of the specification of the above-identified divisional patent application.

Respectfully submitted,

By: 

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